

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEBORAH ANNE WARFORD,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. C16-5064-JCC-JPD

REPORT AND RECOMMENDATION

This matter comes before the Court on the Commissioner's motion to dismiss for lack of subject-matter jurisdiction. Dkt. 7. Specifically, the Commissioner asserts that Plaintiff failed to timely initiate this action challenging the Commissioner's denial of her claim for disability benefits under Title II of the Social Security Act. *Id.* Plaintiff failed to respond to the Commissioner's motion to dismiss.

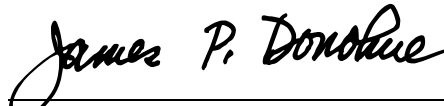
Because the Commissioner has submitted evidence indicating that Plaintiff's complaint was untimely (Dkt. 7-1), and because Plaintiff failed to oppose the Commissioner's motion, the Court recommends that the Commissioner's motion to dismiss should be GRANTED. A proposed order accompanies this Report and Recommendation.

Objections to this Report and Recommendation, if any, should be filed with the Clerk

1 and served upon all parties to this suit by no later than **June 27, 2016**. Failure to file
2 objections within the specified time may affect your right to appeal. Objections should be
3 noted for consideration on the District Judge's motion calendar for the third Friday after they
4 are filed. Responses to objections may be filed within **fourteen (14)** days after service of
5 objections. If no timely objections are filed, the matter will be ready for consideration by the
6 District Judge on **July 1, 2016**.

7 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
8 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
9 assigned District Judge acts on this Report and Recommendation.

10 DATED this 13th day of June, 2016.

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13 JAMES P. DONOHUE
14 Chief United States Magistrate Judge
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